

## UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA

v.

JAMES KELLY BENSON,

)  
)  
)  
)  
)

Case No. 14-MJ-32 (JSM)

## CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about January 16, 2014, in Morrison County, in the State and District of Minnesota, the defendant

unlawfully, knowingly and intentionally distributed 5 grams or more of methamphetamine, a controlled substance,

in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Complainant's signature

MATTHEW PARKER, Special Agent

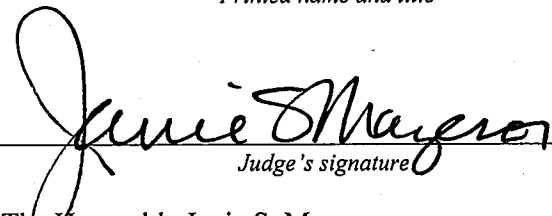
Printed name and title

Sworn to before me and signed in my presence.

Date:

1/17/14

City and state: St. Paul, MN



Judge's signature

The Honorable Janie S. Mayeron,  
U.S. Magistrate Judge

Printed name and title

SCANNED

JAN 17 2014

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA )  
 )  
COUNTY OF RAMSEY )

14-MJ-32 (JSM)

ss. AFFIDAVIT OF MATTHEW PARKER

I, Matthew Parker, being duly sworn, depose and state as follows:

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") and have been so employed for over 14 years. I am currently assigned to the Minneapolis Division of the FBI, working on the Safe Streets Task Force, where I investigate, among other things, drug trafficking offenses. I have investigated drug trafficking offenses for approximately eight years. I have received training in criminal investigations involving drug trafficking offenses, including conspiracy and possession with intent to distribute controlled substances. I have worked as a case agent in many drug trafficking investigations. I have participated in many other investigations that related to the importation and distribution of controlled substances throughout the United States, participated in numerous search warrants, debriefed witnesses and confidential sources, utilized confidential sources to conduct controlled purchases of narcotics, and utilized phone toll analysis to advance investigations.

2. This affidavit is submitted in support of a Complaint against James Kelly BENSON, charging him with distribution of five grams of methamphetamine or more, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B). The facts set forth in the Affidavit are based on your Affiant's training and experience and upon his discussions with another law enforcement agent directly involved in this investigation. Further, this affidavit contains information to support probable cause, but is not intended to convey facts of the entire investigation.

3. The FBI and the Central Minnesota Violent Offender Task Force (CMVOTF) is investigating the activities of James Kelly Benson (hereinafter BENSON), who resides at 719 7th

Street NE, Little Falls, Minnesota. BENSON is suspected of distributing methamphetamine in Little Falls, St. Cloud, and surrounding areas.

4. Your affiant has been told by the case agent that BENSON has prior convictions for sale of controlled substances in 2003, 2004, and 2005.

5. The Central Minnesota Violent Offender Task Force has utilized an individual on numerous occasions for controlled substance violations. Your affiant has fully identified this individual, whose name is being protected to avoid violent retaliation. Your affiant is aware that this individual has provided information which has proven to be reliable. This individual's cooperation has led to the recovery of controlled substances and the arrest of multiple individuals. Your affiant is aware that this person has a felonious criminal history and is providing information to the task force for consideration on felony controlled substance charges and charges of burglary and assault. Your affiant is aware that this person is knowledgeable in controlled substances, specifically methamphetamine, from his experience both distributing and using methamphetamine and other controlled substances. Your affiant shall herein identify this individual as Source #1.

6. On January 16, 2014, Source #1 conducted a controlled purchase with BENSON. Source #1 met BENSON at his home in Little Falls, Minnesota. The source and source vehicle were searched and no contraband was located. Source #1 was outfitted with electronic surveillance equipment so surveillance officers could monitor and record the controlled purchase. Source #1 was provided with pre-recorded U.S. Currency by CMVOTF officers. Surveillance was conducted on Source #1 who met with BENSON at BENSON's residence in the City of Little Falls, County of Morrison, in the State and District of Minnesota. A short time later Source #1 left the residence and again met with investigators. Source #1 provided

investigators with suspected methamphetamine. The methamphetamine field tested positive for methamphetamine. Source #1 and Source #1's vehicle were again searched and no contraband was found. The gross weight of the methamphetamine was approximately 35 grams.

7. Based upon these facts conveyed in this affidavit, your Affiant has probable cause to believe that on January 16, 2014 JAMES KELLY BENSON committed the crime of distribution of more than five grams of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

Further your Affiant sayeth not.



Matthew Parker  
Special Agent, FBI

Sworn and subscribed to before me  
this 17<sup>th</sup> day of January, 2014

  
The Honorable Janie S. Mayeron  
UNITED STATES MAGISTRATE JUDGE